

Remarks

Claims 1-25 are currently pending, of which claim 25 has been newly added. Claims 9 and 10 are allowed. Claims 14-24 are withdrawn from consideration. Claims 1-8, and 11-13 have been rejected under 35 USC § 102(b).

Claims 1 and 13 are amended to incorporate the feature of the orientation production respectively without introducing new matter so as to more clearly define the present invention, describe the characteristics, objects and efficacy of the present invention and distinguish the invention from the prior art of record as applied by the Examiner in rejecting some of the original claims. All of the amendments are supported by the specification. The specification, on lines 3-4 of page 6, supports the current amendments.

Newly added Claim 25 has been added to more clearly define a feature of the present invention and is also supported by the specification. Therefore, there is no new matter added therein. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of Claims 1-8, and 11-13, and indication of the allowance of claim 25.

REJECTION UNDER 35 USC § 102

Claims 1-8, and 11-13 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Hikmet et al. (U.S. Patent 5,748,271).

The test for determining anticipation under Section 102(b) requires that the same or virtually identical device or invention has been previously disclosed in a single prior structure, patent or description...Arnel Industries, Inc. v. Aerosol Research Company, 164 USPQ, 239, 244 (N.D. Illinois, E. Div. 1969). Hikmet et al. fails to provide a teaching of having a light induced orientation layer, and instead teaches using a unidirectional rub method. The induction methods for the orientation are different between these two inventions.

After carefully reviewing the reference that has been cited and applied in the rejection of the claims 1 and 13, the Applicant respectfully submits that Hikmet et al. does not anticipate the instant invention. Amended claim 1 in the present invention requires a polarized electroluminescence element for a display comprising a substrate, an orientation-inducing layer situated on said substrate and in a first direction of orientation obtained by exposure to light; and a light-emitting layer situated on said orientation-inducing layer and made of a mixture of an electroluminescent material and an oriented material for emitting polarized electroluminescence, wherein said electroluminescent material and said oriented material are oriented in a second direction of orientation corresponding to said first direction of orientation. Amended claim 13 also requires that the direction of orientation be obtained by exposure to light. That is to say, the induction of the orientation of the orientation-inducing layer and the oriented material in the present invention is achieved by exposure to light.

Hikmet et al. relates to an organic EL device including a glass substrate (3), an aligning electrode (5), an active layer (7) and a second electrode (9) (Column 7 lines 1-18). As the Examiner stated in the Office Action the aligning electrode in Hikmet is rubbed to produce an aligning effect on the active layer thus acting as an orientation-inducing layer (Column 2 lines 50-64). This means that the induction of the orientation of the aligning electrode is obtained by a rubbing method.

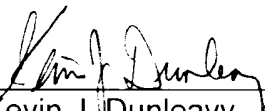
Furthermore, it should be noted that Applicant teaches away from the usage of the unidirectional rub. Applicant indicates that some of the drawbacks to using a unidirectional rub are that the surface of the film is easily destroyed, and that the pollution of the crusher may be formed. (As described on lines 25-27 of page 1 in the specification of the present invention.) Subsequently, the quality of the electroluminescence element will be reduced. This is a very serious problem in the fabrication of electroluminescence elements. So, the unidirectional rub in the cited reference has well known drawbacks for the orientation induction. Applicant has provided a solution to the aforementioned problem by providing orientation induction by exposure to light. The problems existing in Hikmet et al. will be eliminated by the present invention.

Therefore, Hikmet et al. fails to anticipate Applicant's invention as required by Section 102(b) by not disclosing that the induction of the orientation of the orientation-inducing layer and the oriented material is achieved by exposure to light. Therefore the Applicant respectfully requests the allowance of independent claims 1 and 13. Claims 2-8, 11, 12, and 25 should be allowed by virtue of their dependence upon claim 1.

In view of the foregoing amendments and the following remarks, reconsideration of the present patent application is respectfully requested.

Respectfully submitted,

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